

## **Village Board Meeting Minutes of February 4, 2020**

Present: Mayor Lee, Trustees Gates, Speer, Zabelny  
Village Manager/Clerk Shari Pearce,  
DPW Superintendent, Mike McHenry  
Village Treasurer, Maryalice Edwards  
Code Enforcement Officer, Mike Lissow

Absent: Deputy Clerk, Amy Harter

Guests: Tom Venniro, Recreation Director, Neil Houser, Denise O'Toole, Tim Thomas,  
Dave Mitchell, Linda Viney, Maureen and Paul Spindler, Tom Palumbo, Angela  
Eicholtz, Courtney McGinness, Joe Gibbons, Eric Bostley, Robert Holden, Mark  
Greisberger

Mayor Lee called the meeting to order at 5 p.m. with the pledge of allegiance followed by a moment of silence.

### **Recreation Report**

Tom Venniro gave his report including upcoming events. The past weekend's winter festival was a success. He is looking forward to the sweetheart dance on Friday, February 7<sup>th</sup>.

### **Code Enforcement Report**

- The Stormwater Coalition started training for all the member municipalities. The first meeting was very well attended. The training meetings will be continuing thru early spring and be held monthly.
- Zoning Board: Mike Lissow stated there will not be a Zoning Board meeting this month. He has met with the new member, Kim Fay, and provided an update on the latest happenings.
- 52 Underwood Ave: Work has begun on the property. The contactor has removed many trees that were too close to the house, the handicap ramp that was unusable and most of the front and side porch. This work has removed a large portion of the items that were of concern in the Notice and Order that was served on Ms. Flood. Mike stated there are still a couple of items that will need to be addressed; the hole on the north side of the main roof is the biggest

issue. Mike will be talking to the contractor before the current part of the construction is complete. The contractor's original thought was to ask the County to reconsider issuing a Home Improvement Program Grant to complete the remaining issues. Mike Lissow will follow up to verify that is still the plan.

- **Hilton-Parma Community Disaster Plan:** Mike reported that Supervisor, Jack Barton, asked him his thoughts on a complete redo of the Hilton-Parma Community Disaster Plan that was adopted in April of 1994 and updated several times. Mike believes this is a great idea and we should move forward with it. The Village's existing plan has several chapters in it that could be removed because they are addressed in the County wide Hazard Mitigation Plan that we are part of. He noted the updated plan could address how we organize our resources to work with the County wide plan. A discussion took place regarding setting up a meeting with the County Emergency Manager to setup a meeting to move forward.
- **Park Square:** Mike reported that Barrington Residential did not need site plan review as originally thought. The code requires site plan review for any new building exceeding 720 square feet and this building does not. Mike will be reviewing the plans to issue a building permit and will also set up a meeting with Barrington and Mike McHenry to discuss the Village utilities serving the building.
- **Retirement:** Mike Lissow stated he has an announcement to the board. He has decided to retire after 32 years of service, he is planning to leave by the end of May 2020. Preparations will begin to be made for his replacement.

### **Treasurer's Report**

- **Budget:** Maryalice stated she is beginning to prepare the budget. She requested all board members return their books to her.
- **Payroll:** Maryalice reported that she has completed the first live payroll on the system last week and everything went well.

**Resolution:** To amend the 2019-20 budget as follows: Increase Engineering expense and decrease contingency. (Engineering inspection 52 Underwood Ave). Trustee Zabelny made the motion, seconded by Trustee Speer. Carried 5-0.

Increase expense A1440.40	\$1,111.10
Decrease expense A1990.40	( \$1,111.10)

## Public Works Report

- Car show: The next car show is scheduled for 2/19/2020.
- Labor breakdown: Mike has completed the labor breakdown. This was consistent with previous years.
- Community Center: Mike reported he and Jim Liese have spent numerous hours researching if the North Greece Fire District's generator can be used for the Community Center. This is still on going.

Mayor Lee, Shari Pearce and Mike McHenry met with Senator Robach for possible grant opportunities. The two projects we asked for is the boiler replacement at the Community Center for \$425,000 and for DPW land for stockpiling material at a cost of \$200,000. Senator Robach stated he will do his best to try to obtain help for funding one of these projects.

- 2020 Community Development Block Grant: Mike McHenry and the Mayor attended the public hearing for this year's grant. The project is to replace the streetlights in the Unionville Subdivision. The areas the Village must choose from is extremely limited. Mike contacted the manager of the program to confirm that pre-existing streetlights would be supported, which it is. Mike is recommending we apply to replace 38 streetlights in Unionville Station at a cost of \$26,106.00.

**Resolution** to authorize the Superintendent to seek a Community Development Block Grant in the amount of \$226,106.00 to replace 38 streetlights in Unionville Station. Trustee Speer made the motion, seconded by Trustee Zabelny. Carried unanimously 5-0.

- Water certification: Mike is requesting approval to attend a one-day training in Batavia for the Western NY Water Works Conference on 2/12/20 for a cost of \$45.00.

**Resolution** to send the Superintendent to a one- day training in Batavia for the Western NY Water Works Conference on 2/12/20 for a cost of \$45.00. Trustee Zabelny made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

- DPW garage improvements: Mike explained the DPW furnace has a cracked heat exchanger, he is replacing the furnace for \$2,600 with a ten-year warranty. The cost to repair the furnace was close to the amount to replace it.
- Sanitary sewers: Mike reported that the Parma View lift-station was replaced versus rebuilding the old one. There was no additional cost.
- Water: Mike reported there were four water main breaks this past month. They were all on Tallwood Drive. It turned out to be part of a mechanical failure with the water tower that caused the breaks. The issue has been resolved.

## Manager's Report

- Comprehensive plan: Shari stated we had a joint workshop meeting with the Village Board and Zoning Board this past Saturday, February 1<sup>st</sup> to discuss the zoning code and recommendations to be placed into the comp plan. After a detailed discussion, it was the consensus of both boards that the code needs to be updated. Since this scale of this project is so large and not part of the original scope of the comp plan, there will be an additional charge just for doing a more comprehensive zoning study for the plan. MRB has provided a quote for those services, which is \$3,950.

**Resolution** to approve MRB for additional services pertaining to incorporating zoning recommendations into the comp plan. The services will not exceed \$3,950. Trustee Fowler made the motion, seconded by Trustee Gates. Carried unanimously 5-0.

Shari remarked based on discussions at the joint meeting, she and Mike Lissow are recommending we obtain a quote from MRB to assist in beginning the process of updating our entire code. This process will not begin until after the comp plan is finalized, which should be by June 2020. The board agreed to proceed with a quote.

- Electric money: One of the recommendations from the State Audit was to place the remaining money left in the electric account into the Henry Street Reserve. The board decided to make this an action item for the budget.
- Part-time benefits: Shari reported as the new payroll system was getting setup, there is a change on how the part-time employees earn personal time. The handbook states a part-time employee must work a minimum of 15 hours a week to earn the benefit. We normally give the personal time at the beginning of the year. The issue is custodian hours vary from week to week. Sometimes an employee can work more than 15 hours a week or less. The system has the capability of accruing the time based on actual hours worked, which in her opinion is the fairest. She remarked they would not exceed the maximum amount they are entitled to. The board agreed with changing how personal time is calculated.

**Resolution** to authorize the Village Manager/Clerk to modify the handbook to reflect how part-time leave time will be credited to employees. Trustee Gates made the motion, seconded by Trustee Fowler. Carried unanimously 5-0.

- Budget: This month begins the budget process and is extremely busy for all of us. Shari will be sending out an email soon to have budget meetings with the liaisons and the management team. She will also be doing something different this year, the board members that are not liaisons will also be meeting with the budget team to keep them up

to date on the process and provides each board member the opportunity for input and comments.

- Election: Shari noted she anticipates three candidates running for the two Trustee positions.
- State Audit: Shari has provided to the State all the policies that were approved along with a draft copy of the minutes. A final pre-exit meeting will be scheduled soon.
- Clean Energy: Shari followed up with the contact for the grant. The response is there will be a large release at the end of quarter 1 or beginning of quarter 2.
- Citizen of the year: There have been two submissions thus far for Citizen of the Year. The article has gone in the paper and the deadline is February 19<sup>th</sup>. The board can vote on it at the March meeting.
- Reserves: Shari is working with Attorney, Dan Bryson, to establish the reserves. She is hoping to have them at the March meeting for review and approval.

### **Public Forum**

Mayor Lee declared the meeting for public comment at 6:00 p.m.

David Mitchell, Cedar Terrace Townhouses, he attended the meeting to address noise concerns that he is experiencing from the adjacent townhome. He moved to Hilton from the City of Rochester, where they have a very detailed code. He noted he hears young children running around, fighting in the middle of the night. He asked if the code could be modified to reflect a more in- depth code outlining homes with common walls.

Mike Lissow stated to Mr. Mitchell that he needs to call the sheriff's office, that is who enforces our code. MR. Mitchell noted he didn't want to bother the sheriffs with a minor occurrence. The Village Board reiterated to him that is what he needs to do for our code to be implemented.

Trustee Fowler stated we will review our noise ordinance and look at other ordinances that may be more in depth with high density living.

### **St Leos Re-Zoning Application**

Mayor Lee recused himself from any discussion or voting regarding this application due to a potential conflict of interest. The Mayor turned the meeting over to Vice Mayor, Jim Gates.

Providence Housing Development Corporation, Angela Eicholtz, was present along with other staff members. Angela is the Director of Development for Providence.

She is present to discuss two proposals for the board's consideration. They are asking the board to select either re-zoning from Residential to Planned Residential Senior or Multi-Residential. Their intent is to withdrawal one of the applications. After the denial in December, they were very surprised that the application was denied based on previous support. They took all the comments into consideration and revisited the project. They have met with neighbors and believe they have addressed some of the concerns.

They submitted two drawings illustrating the difference between the two zoning districts. The largest and most significant difference is with the MRD, the church will be demolished. With the PRD-S district, the church will be repurposed. In both designs, the building has been moved back close to the property lines with the parking in the front of the building. There will be a buffer zone, landscaping, possible banked parking, etc. All those items will be discussed at the site plan review. Angela noted that market studies have concluded that Hilton needs senior homes that is affordable with onsite staff.

### **Village Board discussion**

Trustee Zabelny thanked them for attending the meeting. She appreciates that the building is 20% smaller and there are improvements to the conceptual plan, however, she still has concerns with the spot zoning. She stated it zoning is taken very serious and residents count on the zoning not changing.

Trustee Speer is in favor of the project for the following reasons. He likes the building being moved further back from the surrounding residential houses. He feels this made a big difference from going from 65' to 230' from a residential property. Larry also feels the old chapel needs to be preserved and repurposed. He also wants the drainage to be corrected. With a project, all the drainage issues will be resolved. He believes the community needs affordable senior housing. For all those reasons, he has changed his opinion and is in favor of the project.

Trustee Fowler stated is opposed to the project, even with the site changes. He considers this spot zoning. Andy stated the Village already has many rentals units, with 34% of the Village being renter occupied (according to our most recent comprehensive plan). He feels the area would be best suited with residential houses as that is what is currently zoned. Also, in the comprehensive plan public survey, it was noted that 63% of the residents would prefer residential homes overall.

Trustee Gates stated he is still opposed at this time to re-zoning the property. He suggested to the board to table this until the April meeting. The reason being there is a Village Election next month and there will be a new board member. Trustee Gates feels the new board should see the entire project through to the end.

### **Re-Zoning Public Input**

At this time, Vice Mayor, Jim Gates, opened the meeting to public comments.

Tim Thomas, St. Leo's Church: He stated he feels this is not spot zoning, courts have upheld this especially if it is for a public purpose and supported by the State. He feels this is the correct fit for the community. He also stated since the project has at least by changed the board is required to have another public hearing.

Maureen Spindler, 175 Lake Ave, she wanted to clarify a couple of points. She is attempting to be open-minded. She is thankful to be at least part of the discussion with Providence Housing. Maureen likes the new position of the building; however, she still would like to see smaller more individual units. She feels it will appear more residential and fit into the character of the neighborhood better. Maureen remarked the signatures St. Leos obtained are not necessarily residents that live around the church area; they will not be directly affected as the direct surrounding neighbors. She absolutely wants to see the drainage fixed. The soil type is clay and lends itself to poor drainage.

Mike Lissow, Building Inspector, stated the drainage will absolutely have to be fixed if a project is approved. The drainage and all the site work are reviewed during site plan review.

Robert Holden, 27 Peach Blossom Rd S, he remarked he had to reach out to the developer for a meeting. They had a two-hour meeting the previous night to discuss the changes to the proposed project. He reinforced to them and the board that the drainage and lighting must be addressed. Mr. Holden also noted that if the project is approved, anyone will have 30 days to appeal the decision.

Denise O'Toole, Lake Ave, she reported that St. Leo's Church has over 350 signatures in support of this senior living apartment complex. They held an informational meeting and there was an overwhelming amount of support for the project. The historical society praised them for proposing to refurbish the old chapel and keep senior living in the Village.

Angela from Providence asked if they submit commitment letters stating they will address the drainage and assure the Village the problem will be fixed.

Village Manager, Shari Pearce, stated she will speak with NYCOM regarding issues that have been brought up tonight regarding commitment letters, re-zoning appeals, repeated hearings for the same request, spot zoning.

Vice Mayor, Jim Gates, closed the public portion of the meeting at 7:35 p.m.

The board agreed to schedule a public hearing to consider the application from Providence Housing to rezone the property at 167 Lake Ave from Residential to Planned Residential Senior.

**Resolution** to schedule a special meeting on April 14<sup>th</sup> at 6:00 p.m. to hold a public hearing to consider the application of Providence Housing to re-zone 167 Lake Ave from Residential to

Planned Residential Senior. Trustee Fowler made the motion, seconded by Trustee Speer. Carried 4-0 (Mayor Lee recused himself).

**Vouchers**

Prepaid	\$8,232.30
T&A	\$28,076.80
General	\$185,532.59
Water	\$38,470.03
Sewer	<u>\$11,078.89</u>
Total	\$271,390.61

Added at the meeting: HCSD \$3,389.66, Home Depot \$108.49, Lamont \$175.60, Parmenter \$500.27, Regional Distribution \$395.45, Tri Delta Resources \$1,213.00, WM Recycling \$310.20.

**Resolution** to approve the vouchers and the additions as presented. Trustee Speer made the motion, seconded by Trustee Fowler. Approved 5-0.

**Minutes**

**Resolution** to approve the meeting minutes of January 7, 2020 as presented. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously 4-0-1(Gates abstained).

**Resolution** to approve the meeting minutes of January 21, 2020 as corrected. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously 4-0-1 (Gates abstained).

**Village Board Liaison Reports**

There were no reports given.

**Adjournment**

Motion to adjourn the meeting at 7:50 p.m. was made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Respectfully Submitted,

Shari Pearce, Village Manger/Clerk